
Exhibit A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Uniformed Fire Officers Association; Uniformed Firefighters Association of Greater New York; Correction Officers' Benevolent Association of the City of New York; Police Benevolent Association of the City of New York, Inc.; Sergeants' Benevolent Association; Lieutenants' Benevolent Association; Captains' Endowment Association; and Detectives' Endowment Association,

Petitioners/Plaintiffs,

-against-

Bill de Blasio, in his official capacity as Mayor of the City of New York; the City of New York; Fire Department of the City of New York; Daniel A. Nigro, in his official capacity as the Commissioner of the Fire Department of the City of New York; New York City Department of Correction; Cynthia Brann, in her official capacity as the Commissioner of the New York City Department of Correction; Dermot F. Shea, in his official capacity as the Commissioner of the New York City Police Department; the New York City Police Department; Frederick Davie, in his official capacity as the Chair of the Civilian Complaint Review Board; and the Civilian Complaint Review Board,

Respondents/Defendants.

Case No. 1:20-cv-05441

[DRAFT] STIPULATION

The parties hereby agree and stipulate to the following facts for the purposes of the preliminary injunction hearing currently scheduled for August 18, 2020:

1. Between at least June 12, 2019 and June 12, 2020, the NYPD has denied FOIL requests for disciplinary records of officers on bases other than Civil Rights Law § 50-a or FOIL

exemptions, including that such disclosure would constitute an unwarranted invasion of privacy.

2. Between at least June 12, 2019 and June 12, 2020, the NYPD has denied FOIL requests for disciplinary records of officers on bases other than Civil Rights Law § 50-a or FOIL exemptions, including that such disclosure would constitute a risk to safety of the officer or some other person.
3. Between at least June 12, 2019 and June 12, 2020, the FDNY has denied FOIL requests for disciplinary records of firefighters on bases other than Civil Rights Law § 50-a or FOIL exemptions, including that such disclosure would constitute an unwarranted invasion of privacy.
4. Between at least June 12, 2019 and June 12, 2020, the FDNY has denied FOIL requests for disciplinary records of firefighters on bases other than Civil Rights Law § 50-a or FOIL exemptions, including that such disclosure would constitute a risk to safety of the firefighter or some other person.
5. Between at least June 12, 2019 and June 12, 2020, City agencies have not voluntarily or in response to a FOIL request produced records regarding disciplinary matters of current and/or former City employees—other than New York City police officers, firefighters, and corrections officers—that are non-final, unsubstantiated, unfounded, exonerated, or resulted in a finding of not guilty (“Unsubstantiated and Non-Final Allegations”).
6. Between at least June 12, 2019 and June 12, 2020, City agencies have denied FOIL requests for disciplinary records of City employees other than firefighters, police

officers, and corrections officers containing Unsubstantiated and Non-Final Allegations on the basis that such disclosure would constitute, apart from any statutory exemption to FOIL, an unwarranted invasion of privacy.

7. Between at least June 12, 2019 and June 12, 2020, City agencies have denied FOIL requests for disciplinary records of City employees other than firefighters, police officers, and corrections officers containing Unsubstantiated and Non-Final Allegations on the basis that such disclosure would constitute, apart from any statutory exemption to FOIL, a risk to safety of the employee or some other person.

Dated: July __, 2020
New York, NY

SO STIPULATED.

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